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REPORT OF THE SPECIAL COMMITTEE ON THE CHARTER OF THE UNITED NATIONS AND ON THE STRENGTHENING OF THE ROLE OF THE ORGANIZATION

Letter dated 13 September 1993 from the Permanent Representative of Sierra Leone to the United Nations addressed to the Secretary-General

I have the honour to transmit the attached proposal entitled "Establishment of a Dispute Settlement Service offering or responding with its services early in disputes", which is being submitted by the delegation of Sierra Leone for consideration by the General Assembly during its forty-eighth regular session (see annex).

I should be grateful if you could have the text of the present letter and its annex circulated as an official document of the General Assembly under item 148 of the provisional agenda.

(Signed) Abdul G. KOROMA
Ambassador
Permanent Representative

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* A/48/150 and Corr.1.

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ANNEX

Establishment of a Dispute Settlement Service offering or responding with its services early in disputes: proposal submitted by Sierra Leone

I. INTRODUCTION

The early offering of non-imposed dispute settlement services is provided both for preventing conflicts and enhancing dispute settlement through the establishment of a permanent mechanism, subject to restraint by the Security Council and involving the Secretary-General. It will function without disturbing the existing constitutional balance among the organs.

The services can be offered directly by the five Service Administrators, elected on a regional basis, under clearly defined conditions and strict confidentiality. The offer of the services can be requested by the Security Council. Also, subject to certain conditions, the services can be provided on request by all parties to a dispute, the General Assembly, or if recommended by the Secretary-General.

If any of the disputing parties rejects the services, the process will be terminated. A later offering of services can be made to the parties at a more favourable time.

If the services are accepted, the parties will choose any number of settlors a/ from a roster of qualified persons previously proposed by Member States.

The parties will establish the rules for any ensuing dispute settlement session. Similarly, matters relating to the timing and nature of reports would be agreed upon by the parties and the settlors. No doubt, starting the process itself would be considered a major accomplishment.

The administrative structure of the Service, its formation and function, the source of secretarial staff and the availability of early warning resources are outlined in the detailed proposal.

Following the text of the present proposal, an explanatory note is given in section III, which describes the advantages of the Service at length.

II. PROPOSAL

1. The Dispute Settlement Service shall be implemented through a board of five Administrators, with five alternates, elected by the Sixth Committee and confirmed by the General Assembly, on the basis of equitable geographical distribution, for a term of three years. The Administrators shall be eligible for re-election.

2. The Secretary-General, or his representative, shall have a seat on the Board of Administrators, but without the right to vote. In this capacity, the Secretary-General or his representative, will place his expertise at the disposal of the Board, and in order to avoid conflict, will keep the Board informed of the existence of such matters as referred to in Article 12, paragraph 2, of the Charter of the United Nations.

3. The Chairman of the Board of Administrators shall be chosen by the Administrators.

4. The Board of Administrators shall be located in New York. Secretarial services for the Board shall be provided by the Secretariat, bearing in mind the nature of the Board. b/

5. The Dispute Settlement Service may be activated directly by a simple majority of the Board of Administrators in their offering of services early in disputes, subject to paragraphs 6 and 7, unless opposed by the Administrator from the region in which the disputing parties are involved.

6. The activities of the Service cannot be invoked to prevent the Security Council from exercising its powers under the Charter in any dispute or situation likely to endanger international peace and security.

7. The offering of services by the Dispute Settlement Service may be prevented by the Security Council under Article 27, paragraph 2, of the Charter.

8. The Service may be activated by a decision of the Security Council. It may also be activated at the request of the General Assembly, as well as on the recommendation of the Secretary-General, subject to paragraphs 6 and 7.

9. If any of the parties to the dispute rejects the initial offer of services, or does so at a later stage, the procedure is terminated. A rejection would not prevent a later attempt to offer services at a more favourable time.

10. The Service may be activated at the request of all parties to a given dispute, subject to paragraphs 6 and 7.

11. No offer of services shall be made to parties in dispute if a preceding effort to settle such a dispute is already being implemented by an activity established for that purpose, unless the parties request aid from or transfer responsibility to the Service.

12. After a decision is made to activate the Service, the Chairman, or other designated Administrator, shall contact the parties in the offer of services under strict confidentiality. If the parties so desire, no party shall be identified as accepting or rejecting the services, except in confidence to the other Administrators, the Secretary-General, in accordance with paragraph 2, or by the request of the Security Council.

13. After a rejection of the initial offer of services or the later abandoning of the process by any party at a later stage, the Chairman shall issue a report that the services cannot be implemented due to unfavourable conditions at the time. Only the Security Council, for its own confidential information

concerning the rejection, and likewise the Secretary-General, for his own function of offering services independent of this Service, shall receive any supplementary information on request.

14. If the offer of services is accepted by all parties to the dispute, the parties will select an agreed number of settlors from the Roster of Settlors.

15. The Roster of Settlors shall be composed of qualified individuals willing to serve in dispute settlement nominated by Member States. No more than three settlors may be nominated by each Member State. Nothing in this Service shall disqualify any of the Administrators or the Secretary-General from acting in the capacity of a settlor if so desired by the disputing parties.

16. The Roster of Settlors shall be maintained and updated by the Office of Legal Affairs and shall be made available to all Member States and any disputing parties.

17. After accepting the services, the parties shall bear all costs of subsequent dispute settlement sessions. c/

18. Operating procedures, including venue, number, and timing of sessions, shall be established by the parties to the dispute and the settlors. Any interim report or that of the final dispute decision shall be released to the Board of Administrators by the settlors, as determined by the parties. Any other procedural regulations inconsistent with this mandate of the Service shall not apply.

19. The Board of Administrators shall make an annual report to the General Assembly on the activities of the Service.

20. The Secretary-General maintains his option of offering his good offices in the settlement of disputes independent of his role in the operation of this Service. Also, all other options using existing United Nations machinery and procedures intended for enhancing the peaceful settlement of disputes remain available independent of this Service.

21. For purposes of early warning, the Administrators are encouraged to draw upon the resources of the Secretariat and their respective regions regarding new and potential disputes in which this Service may be crucial.

22. In order to encourage the use of this Service, the Secretariat shall disseminate information regarding it to all Member States and on as wide a geographical basis as possible.

III. EXPLANATORY NOTE

The Dispute Settlement Service that is being proposed will have the following advantages. It will:

(a) Provide an option for the Security Council and the Secretary-General in their commitment to the maintenance of international peace and security, without threatening the existing constitutional balance of the organs;

(b) Make for a desirable General Assembly influence in the peaceful settlement of disputes, thus contributing to the maintenance of international peace and security;

(c) Strengthen the recourse of parties to a dispute to a regional solution by providing Administrators and a Roster of Settlors which will contain eminent personalities from their respective regions;

(d) Provide a self-triggering mechanism which will utilize an available Roster of Settlors. Such a mechanism repairs the deficiency existing in the register on fact-finding, which was established by General Assembly resolution 2329 (XXII) and which became moribund;

(e) Involve the Secretary-General as a member of the Board of Administrators where his advice assures maintaining the constitutional balance of the main organs of the Organization and his availability to serve in the capacity of a settlor at a critical period in the dispute settlement sessions if desired by the parties;

(f) Utilize a Board of Administrators primarily for the offering of services to the disputing parties or for responses to requests for the services; but it is the chosen settlors who represent the primary mechanism for the dispute settlement process;

(g) Expand the scope of expertise available to disputing parties by using settlors who will be drawn from as varied a field of qualified personalities as possible to be engaged actively in measures of a peacemaking nature;

(h) Allow the choice of dispute settlement options provided by Article 33, paragraph 1, of the Charter in any appropriate relation or sequence after the parties have accepted the services, chosen their settlors and considered with the latter directions and planning of their subsequent action, including the currently proposed United Nations rules for the conciliation of disputes between States;

(i) Make use of the Secretariat as the pool for secretarial services, as well as the repository of the Roster of Settlors and the wide dissemination of the same;

(j) Anticipate a relatively low financial cost of operation by being associated with an existing organ of the Organization and by having the Board of Administrators located in New York and requiring parties accepting the services to bear the cost of the subsequent dispute settlement process (see footnote c/ to paragraph 17 of the proposal);

(k) Enhance the growing interest and emphasis on regional approaches within the Organization;

(l) Encourage the use of early warning of disputes so as to minimize their deterioration;

(m) Utilize the offering to disputing parties of non-imposed services which, at their wish, may include a desired binding settlement which could be recorded by the United Nations;

(n) Introduce a flexibility of approach in the manner in which the Service will function in relation to the organs of the Organization as well as to disputing parties;

(o) Strengthen the United Nations system by helping to move some of its dispute settlement options from an ad hoc arrangement to that of a permanent mechanism;

(p) Keep peacemaking as proposed clearly in its basic tradition, the peaceful settlement of disputes, as foreseen in Chapter VI of the Charter of the United Nations, in contrast to peace enforcement, which is perceived as a projection of provisional measures as defined in Chapter VII, Article 40, of the Charter in respect to breaches of the peace and acts of aggression, but where both proposals are distinct permanent mechanisms to meet new challenges of the times.

Notes

a/ A settlor, as defined in this Service, is one who induces a settlement between disputing parties, i.e., a negotiator, mediator, conciliator, good officer, or fact finder or some combination thereof which could also lead to one who makes a settlement, i.e., an arbitrator or a judge. The categories mentioned above comprising a settlor can all relate to a dispute settlement option as provided for under Article 33, paragraph 1, of the Charter of the United Nations.

b/ It is anticipated that such secretarial services will be drawn from the Office of Legal Affairs.

c/ The fund established by the Secretary-General for parties appearing before the International Court of Justice may, if considered appropriate, be put at the disposal of parties in dispute experiencing financial difficulties.

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ESTABLISHMENT OF A NUCLEAR-WEAPON-FREE ZONE IN THE REGION OF THE MIDDLE EAST

Report of the Secretary-General

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I. INTRODUCTION

1. On 9 December 1992, the General Assembly adopted without a vote, resolution 47/48, entitled "Establishment of a nuclear-weapon-free zone in the region of the Middle East". In paragraph 9 of the resolution, the Assembly requested the Secretary-General to pursue further consultations with the States of the region and other concerned States, in accordance with paragraph 7 of resolution 46/30 and to seek their views on the measures outlined in chapters III and IV of the study annexed to his report 1/ or other relevant measures, in order to move towards the establishment of a nuclear-weapon-free zone in the region of the Middle East. In paragraph 10 of the same resolution, the Assembly also requested the Secretary-General to submit to it at its forty-eighth session a report on the implementation of the resolution.

2. The present report is submitted in response to the request contained in paragraph 10 of resolution 47/48.

II. BACKGROUND

3. Pursuant to a request from the General Assembly, my predecessor undertook in 1989-1990 a study on effective and verifiable measures which would facilitate the establishment of a nuclear-weapon-free zone in the Middle East. That report, contained in document A/45/435, provides a comprehensive assessment of a proposal that has been on the agenda of the General Assembly since 1974. 2/ The study, inter alia, analysed the objectives, principles and international legal framework for establishing a nuclear-weapon-free zone; it explored an array of issues bearing upon the application of the concept to the Middle East; and it examined in depth a number of steps that could ease the process leading to the creation of such a zone.

4. Since 1990, a number of events have occurred in the Middle East and beyond that bear significantly upon the prospects for establishing a nuclear-weapon-free zone in that region. From a diplomatic standpoint, the most consequential development is the negotiating process launched at the Peace Conference on the Middle East held at Madrid in October 1991. Under the formula adopted at the Conference, two sets of negotiations are being pursued: a bilateral one along two tracks - between Israel and the Arab States, and between Israel and the Palestinians - and a multilateral one. Multilateral working groups have been established to examine several key functional areas, including arms control and regional security. 3/

5. As regards the multilateral track, the United Nations has been invited to participate in the work of the Middle East Multilateral Working Group on Arms Control and Regional Security as of its third plenary session held in May 1993 in Washington, D.C. It is within the framework of this Working Group that consultations have been carried out with regional and extraregional States, as requested by the General Assembly in paragraph 9 of resolution 47/48.

6. The Working Group has held three plenary sessions and several inter-sessional meetings addressing a wide range of substantive issues, many of which concern various confidence-building measures of particular relevance to

the region. While constructive, business-like and non-confrontational, the discussions in the Working Group have also illuminated differences of view regarding preferred approaches towards the resolution of arms-related problems. Nevertheless, the in-depth ideas expressed by the Working Group and the position papers before it have already provided a valuable array of potential measures, which upon further discussion and elaboration by the respective proponents might ultimately lead to common approaches and consensus on concrete actions.

7. The scope of the ideas and measures presented so far is quite broad. It should be recalled, however, that the 1990 report stated:

> "The close relationship - the 'linkage' - among all the elements that affect security is well known. Nuclear capabilities are linked to chemical weapons, chemical weapons to conventional arms, conventional arms to political conflict. And all these threads are woven into a seamless fabric of fear and insecurity. If the area is to become and remain truly nuclear-free, then this fabric must be cut into pieces and dealt with piece by piece. The problem is much too complex and unyielding for any comprehensive settlement to solve all at once. Yet all the separate elements must be worked on concurrently, for it will not be possible to settle any one piece of the problem unless it is clear that progress is being made on the other pieces as well. A radical transformation, step by step, must be effected in the military and political relationships of the entire area." 4/

8. Taking into account all of the above, the present report focuses, in substantive terms, on two major developments of relevance for the assessment of the prospects for the establishment of such a zone: the changes in international relations pertinent to the consideration of security issues in the region; and the basic proposals advanced by States of the region at the present junction of the work of the Working Group.

III. MAJOR INTERNATIONAL DEVELOPMENTS BEARING UPON THE ESTABLISHMENT OF A NUCLEAR-WEAPON-FREE ZONE IN THE MIDDLE EAST

9. Without question, the period since 1990 has been marked by enormous political and strategic changes in world affairs. Three developments in particular - nuclear disarmament by extraregional powers, the Persian Gulf war and the beginning of direct negotiations between Arab States and Israel, noted above - have implications for the establishment of a nuclear-weapon-free zone in the Middle East.

10. The pattern of nuclear arms regulation and disarmament now occurring or in prospect is one of the most heartening signs of progress in this post-cold war era. Besides the historical agreements, such as START I and II, concluded between the Russian Federation and the United States of America, we now see new, most encouraging trends favouring nuclear disarmament in other areas as well. With the exception of China, nuclear testing moratoria, for example, are being observed currently by all nuclear-weapon States, and the possibility of cooperative action on a global halt to the production of nuclear materials for weapons purposes has grown during the past year. A recent decision by the

Conference on Disarmament to commence negotiations on a comprehensive test ban constitutes a major breakthrough with regard to measures to prevent the further proliferation of nuclear weapons. The success of these negotiations will most certainly and significantly facilitate efforts towards the establishment of a nuclear-weapon-free zone in the Middle East, underscore international efforts for nuclear disarmament and strengthen the tenets of the non-proliferation regime and the realization of its letter and spirit including article VII of the Treaty on the Non-Proliferation of Nuclear Weapons. It should be recalled that regionally focused initiatives on the prohibition of testing and on the cessation of the production of fissionable materials are two measures cited in the 1990 report, which could help progress towards a full-fledged nuclear-weapon-free zone in the region.

11. On the other hand, any salutary effect that the demise of the cold war could have had on the Middle East, initially, was squandered in the Persian Gulf war as a result of Iraq's invasion of Kuwait. The war has also given much greater salience than ever before to the need to promote confidence, slow the massive flow of conventional weapons to the region and rid the Middle East of the spectre of weapons of mass destruction. The region was fortunate to be spared the use of these weapons; even a few weapons used in a "limited" way could have been catastrophic in the geographically small and vulnerable confines of the Middle East. Ominously, however, ballistic and cruise missiles, as well as piloted aircraft capable of delivering these weapons, were used, and the potential for escalation was ever-present.

12. While the Persian Gulf War itself may have helped to further stigmatize weapons of mass destruction, its aftermath has offered sobering insights into the challenge of verification, one category of measures cited in the 1990 report as a vital component of any approach to establishing a nuclear-weapon-free zone in the Middle East. Without the implementation of Security Council resolutions 687 (1991) of 3 April 1991, 705 (1991) of 15 August 1991 and 715 (1991) of 11 October 1991 based, inter alia, on the diligent efforts of United Nations inspectors after the cease-fire, the international community might never have learned of Iraq's extensive nuclear weapons development programme.

13. Against this background, the 1990 report was prescient in that it highlighted the importance of "intrusive and pervasive" verification associated with the concept of a nuclear-weapon-free zone and stated that such procedures would have to include elements "not customary" in the current safeguards practices. 5/ The Persian Gulf war has, in fact, prompted the International Atomic Energy Agency and its member States to strengthen safeguards programmes. These efforts are essential not only for preserving the Non-Proliferation Treaty, universal adherence to which I support, but also for comparable regional arrangements such as a nuclear-weapon-free zone based on consensus agreement of the regional parties concerned.

14. The main efforts, though to be focused on voluntary movement towards greater openness and transparency, should come from States within the region itself, through mutual exchange of information, inspection and the building of confidence. The Security Council, in paragraph 14 of its resolution 687 (1991), was careful to note that actions by Iraq to comply with the terms of the cease-fire would represent, inter alia, "steps towards the goal of establishing in the Middle East a zone free from weapons of mass destruction". Unlike the

special case of Iraq, quite obviously, a nuclear-weapon-free zone on a region-wide basis cannot be dictated to States from outside. Rather, it must be worked out by them. Even in a consensual setting, however, the verification procedures adopted should be strong enough to leave no doubt as to a party's compliance with its treaty obligations. Clearly, a nuclear-weapon-free-zone regime of rigorous and balanced verification related to a nuclear-weapon-free zone, applicable to all, would be vitally important in promoting confidence and security throughout the region.

15. The breakthrough in the peace process marked by the opening of direct negotiations in October 1991 between Israel and its Arab neighbours augurs well for the eventual establishment of a nuclear-weapon-free zone in the Middle East. While many obstacles remain unsettled, the process of face-to-face negotiations, carried out in good faith, can only help to lay the groundwork for an eventual reconciliation of Arab, Israeli and Palestinian positions.

IV. ATTITUDES OF STATES IN THE REGION ON A NUCLEAR-WEAPON-FREE ZONE AND RELATED QUESTIONS

16. All States in the region have declared themselves in favour of a Middle East nuclear-weapon-free zone. The resolution on the subject-matter has been adopted by consensus since 1980. This fact was noted in document A/45/435 which is still valid today. The question at issue is how best to advance the concept, especially now when a positive movement has, in fact, occurred in the relationship between several of the major political actors within the region.

17. Traditionally, the stance of the Arab States towards the concept of a nuclear-weapon-free zone has been derivative of their longstanding concerns regarding Israel's nuclear-related capabilities and intentions. Many Arab States take the view that acceptance of non-proliferation commitments, such as the Treaty on the Non-Proliferation of Nuclear Weapons or a nuclear-weapon-free zone, are an intrinsic part of building stable, peaceful relationships within the region in general. They strongly believe that such a measure would have an immediate positive effect on the resolution of a whole range of other outstanding arms limitation and security issues in the Middle East. Furthermore, they note that the Israeli insistence on deferring the acceptance of either the Treaty on the Non-Proliferation of Nuclear Weapons or International Atomic Energy Agency (IAEA) safeguards on all its nuclear facilities until the later stages of the peace process only provides suspicions regarding Israel's ultimate intentions, thereby further hampering the process as such.

18. Israel's attitude towards, and support for, the nuclear-weapon-free zone proposal has laid heavy emphasis upon the volatile character of security in the Middle East. Regional dynamics, in the Israeli view, are characterized by diverse political, religious, social and economic rivalries; by the continuing unwillingness of several important Arab States to accept politically Israel's very existence; and by the persistence of certain structural asymmetries between Israel and other States, most notably in the relative size of populations, land areas, and in the composition, structure and size of military forces. From the Israeli perspective, these factors suggest that there must be a genuine acceptance of Israel by its neighbours and that confidence and peace must be

assured and proven over time prior to the establishment of a nuclear-weapon-free zone; that a nuclear-weapon-free zone must result from the initiative of States in the region; and that the zone should be freely and directly negotiated between these States, and mutually verified.

19. The process initiated in Madrid has been heralded by all sides as opening up new prospects for peace. Within the multilateral discussions on arms control and regional security, the most promising area for progress thus far has been in the field of confidence- and security-building measures (CSBMs). Both within and outside the framework of the Working Group, Israel and the Arab side have indicated interest in a variety of measures including:

(a) Establishment of direct links for both routine and crisis communications;

(b) Mutual exchange of notifications of major military exercises and of data on military holdings in certain categories of equipment;

(c) High-level military and political visits and visits to military facilities;

(d) Arrangements on the prevention of incidents at sea and on cooperative search and rescue operations;

(e) Issuance of declaratory statements on various basic tenets of neighbourly and peaceful relations among States in the region.

There is not yet a full convergence of views on the precise scope and content of these measures. Nevertheless, the degree of shared interest already expressed in CSBMs is encouraging, for it could foreshadow new forms of cooperation that heretofore have not existed.

20. The search for a comprehensive settlement of the military and political relations in the region would certainly benefit greatly from confidence-building measures. Nevertheless, the time has come to start considering more vigorously the specific measures in the nuclear and mass-destruction weapons domains, which were enumerated in document A/45/435. It is encouraging to note that both sides have indicated their view that the Madrid framework provides a suitable, but not exclusive, venue to achieve eventual progress on the settlement of many issues, including negotiation of a nuclear-weapon-free zone.

V. CONCLUSIONS

21. The prospects for establishment of a nuclear-weapon-free zone in the Middle East region are somewhat more promising now than they were even a few years ago. Key obstacles are being gradually reduced or even eliminated. Direct negotiations between some States are now a reality; the nuclear postures of the extraregional powers are much less of a complicating factor; and the urgent need to deal with the grave threats posed by conventional weapons, missiles and nuclear and other weapons of mass destruction is more widely appreciated than ever before.

22. At the same time, a nuclear-weapon-free zone cannot be conceived of or implemented in a political vacuum, separate from the process of mutual reconciliation. The general degree of openness, transparency, mutual verification and confidence required under a nuclear-weapon-free zone would go well beyond anything currently practised in the region. It is for this reason that I urge all States of the Middle East to take every opportunity in the ongoing peace process to build bridges of mutual cooperation on security and related matters. In my view, progress on steps towards the establishment of a nuclear-weapon-free zone should neither lead nor lag behind inter-State negotiations on the broader aspects of a peace settlement; rather, the two should proceed in parallel.

Notes

1/ A/45/435.

2/ See resolution 2373 (XXII), annex.

3/ The other working groups established under the Madrid framework focus on economic development, the environment, refugees and water.

4/ A/45/435, para. 151.

5/ A/45/435, paras. 121 and 122.

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GENERAL AND COMPLETE DISARMAMENT

Relationship between disarmament and development

Report of the Secretary-General

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I. INTRODUCTION

1. The General Assembly, following the International Conference on the Relationship between Disarmament and Development, which was held in New York from 24 August to 11 September 1987, in its resolution 42/45 of 30 November 1987, requested the Secretary-General to take action through the appropriate organs, within available resources, for the implementation of the action programme adopted at the Conference.

2. In pursuance of paragraph 35 (ix) b of the Final Document of the Conference, 1/ the Secretary-General established, in December 1987, a high-level intra-Secretariat task force having the following composition: the Director-General for Development and International Economic Cooperation, Chairman; the Under-Secretary-General, Department of International Economic and Social Affairs; the Under-Secretary-General, Department of Public Information; the Assistant Secretary-General, Office for Research and the Collection of Information; and the Under-Secretary-General, Department for Disarmament Affairs, convener.

3. The Secretary-General, in his report entitled "New dimensions of arms regulation and disarmament in the post-cold-war era" (A/C.1/47/7), referred to the need for significant advances in the reduction and limitation of armaments in order to initiate the conversion from military to civilian production. Conversion, as is apparent from recent experience, is not an easy task; it requires great effort and sacrifice. In many countries, in particular those which are economically advanced, there are large segments of the population dependent on military production. Restructuring industry and retraining skilled and unskilled labour will have a debilitating effect on many economies. The arms industry and the military establishment, which usually enjoy considerable privileges, will resist those changes. The financial and ecological burdens of effective weapons disposal, he said, are the immediate, and unavoidable, consequences of implementing reductions. Much more far-reaching is the problem of redirecting manufacturing and research-and-development capacities, as well as soldiers and technical personnel, from military to civilian endeavours. Member States were urged to consider methods to alleviate the problems of making the painful transition to a post-disarmament world. The Secretary-General stated that he is establishing an interdepartmental task force at the United Nations to provide Member States with political, technical and economic advice on the various aspects involved in such a transition. The Secretary-General has recently requested the secretariat of the United Nations Conference on Trade and Development (UNCTAD) to coordinate the establishment of the United Nations interdepartmental task force on conversion. Other offices to be included in the task force could be the Office for Disarmament Affairs, the Office for Outer Space Affairs, the Department of Policy Coordination and Sustainable Development, the Department of Development and Support and Management Services, and the United Nations Development Programme. Furthermore, UNCTAD should serve as coordinator of the task force, prepare a preliminary proposal for its organization and programme of work, and convene an organizational meeting of the concerned offices and agencies.

4. The Secretary-General reported to the General Assembly at its forty-seventh session, inter alia, on the specific activities carried out by the Secretariat

under severe resources constraints (see A/47/452). The Assembly, in its resolution 47/52 F of 9 December 1992, welcomed the report of the Secretary-General and requested him to continue to take action, through appropriate organs and within available resources, for the implementation of the action programme adopted at the International Conference, and to submit a report to it at its forty-eighth session.

II. SPECIFIC ACTIVITIES

5. The following specific activities, in accordance with the priorities established by the task force for the period 1990-1993 (see A/45/592, A/46/527 and A/47/452), were carried out under financial constraints.

A. United Nations Conference on Conversion of the Aerospace Complex: Technology Assessment for Development

6. The Office for Disarmament Affairs participated in the United Nations Conference on Conversion of the Aerospace Complex: Technology Assessment for Development, which was organized by the Science, Technology, Environment and Resources Division of the Department of Economic and Social Development, together with the Government of the Russian Federation, in Moscow from 12 to 17 October 1992, in collaboration with the Office for Disarmament Affairs; the Outer Space Affairs Division of the Department of Political Affairs; the International Civil Aviation Organization (ICAO); the United Nations Educational, Scientific and Cultural Organization (UNESCO); the United Nations Industrial Development Organization (UNIDO) and other interested United Nations agencies.

7. The Conference convened on the basis of contributions from experts in the areas of conversion and disarmament, science and technology policies, technology assessment of aerospace technologies and development financing, as well as on the results of the conferences on conversion convened in Beijing in October 1991 and at Dortmont in February 1992.

8. At the Conference, it was stated that a central goal of the United Nations activities to assist countries in making the change necessary is to determine ways in which conversion can be used as a vehicle for development. The nature of space technology lends itself to conversion for development purposes. Many current space systems, such as satellite, launch vehicles and facilities, and ground data-receiving stations are already routinely used for both military and civilian purposes. Even in those countries where there is a clear distinction between military and civilian space programmes, the technology used for those efforts is largely the same. Conversion of these technologies and others to peaceful uses can take many forms. Some military space systems, such as launch vehicles and satellites can easily perform civilian functions with a minimum of modifications. In other cases, government choices of conversion policies will depend largely on international politics, national economic policies and private-sector and consumer demand, as well as technological constraints.

9. The need for international cooperation in tackling the numerous potential economic and national security problems was stressed, especially in the steps

that must be taken to ensure that the global economy has the capacity to absorb new production and to provide the political and economic stability that is an essential prerequisite to substantial private-sector involvement. Such involvement is vital to finding market-oriented solutions to the problems of conversion. It was pointed out that providing solutions to the problems associated with conversion should become an integral goal of international economic and technical assistance programmes and should serve as the foundation for private investment. The conversion of military industries to productive peaceful uses is inherently an international problem which requires international solutions. The United Nations is determined to assist Governments and other international organizations in this effort.

10. As a result of the deliberation, a declaration was issued in which the participants from 26 States indicated that, as the nations of the world disengage from the Cold War, the new international security environment requires that they reduce their military burdens and convert these scientific, technological, industrial and human resources to meet the most crucial or pressing environmental, social and economic problems now facing the people of the world. The challenge is to establish a comprehensive conversion process which will minimize the economic dislocation stemming from world-wide reductions in military spending, while maximizing the economic, social and environmental potential in civilian fields. A verifiable disarmament process must accompany the conversion of military resources to ensure the security of all nations and to decrease the threat of proliferation of weapons and conflict among States.

11. The participants declared that the aerospace complex today constitutes one of the highest achievements of the world's scientific, technological and economic capabilities. The loss of that potential through military reductions without an appropriate conversion process would impede the world's scientific and technological progress and would produce negative consequences on a national and global scale. They believed that conversion of the aerospace complex must be based on a comprehensive strategy considering political, economic, social and ecological implications. Successful conversion requires the coordinated efforts of national Governments and commercial enterprises, together with relevant scientists and experts. Advance conversion planning must be an integral part of the transition from intercountry military confrontation to a new global environment founded on scientific, technological and economic cooperation.

12. The participants at the Conference made a number of concrete recommendations to enhance considerably the prospects of implementation of conversion activities undertaken at the level of international, national and aerospace enterprises and commercial companies.

B. Conference on International Cooperation to Promote Conversion from Military to Civilian Industry

13. The Conference on International Cooperation to Promote Conversion from Military to Civilian Industry was organized by the China Association for Peaceful Use of Military and Industrial Technology and the Office of Legal Advisory Services for Development in the United Nations Department of Economic and Social Development, in Hong Kong, from 7 to 10 July 1993. The Conference provided a forum for eminent defence and civilian industrialists and

entrepreneurs, government leaders, economists and other academic researchers at the request of the Member States, in order to keep up to date on the status of conversion activities at the international and national levels, to share and learn the achievements and lessons of other countries and to establish new contacts for future collaboration on conversion. It also enabled them to identify policy options and managerial and technical solutions and propose to the concerned Government a portfolio of concrete initiatives for international cooperation to tackle the problems they are facing.

14. The focus of the Hong Kong Conference, which brought together 92 participants from 18 States Members of the United Nations, was on the enabling environment for and the pragmatic approaches to conversion and the opportunities for international cooperation. A special effort was made to bring into the conference experts from public and private industry, to emphasize the practical issues and options of the conversion process. In addition to the international perspective, a session was held to present and discuss the Chinese conversion experience. The subjects covered included nuclear industry, military medicine, shipbuilding, electronics, aeronautical and aerospace industries, intellectual property and international cooperation.

15. The concept of conversion considered by the Conference includes the transformation of military manufacturing facilities into civilian production at the same site, or the establishment of new manufacturing or service capability elsewhere. In both cases, such new production can be based on technologies emanating from such military research as manufacturing, as acquired from other resources. Finally, conversion is also achieved by the reallocation of military budgets (including the use of military resources, such as personnel) for civilian purposes.

16. The participants of the Conference issued a declaration in which they agreed that international peace and sustainable development are common desires of the peoples of the world. Disarmament and peace reinforce each other. Military to civilian conversion is an indispensable link in strengthening disarmament and peace.

17. Military to civilian conversion takes different paths and forms in different countries, but its components are universally the same. It involves conversion of military research and manufacturing capabilities to civilian use; peaceful uses of military technology; conversion of military equipment and facilities for civilian uses or the dual use of the same; and mobilization of displaced military and non-military personnel in affected communities. Military-to-civilian conversion is a complex process which involves the military, political, economic, technological and social aspects of a country. It requires active planning, wise government policies, and the engagement of all relevant actors in military-industrial complexes, including both public and private components.

18. A benign international environment, including political, economic, and other factors, and a spirit of cooperation between government and non-government actors is essential. In that sense, a key factor is the maintenance of regional stability and confidence. In recent years, the United Nations has conducted considerable useful work in that area, which is appreciated by the international

community. The United Nations, however, should play an even more active role in the future.

19. Finally, the Conference proposed the following recommendations to appropriate actors in the world community:

(a) Given the diversity and complexity of the conversion process, it is important that the forms and forums for international cooperation, exchanges and research in support of military-to-civilian conversion be expanded. Support to conversion initiative should become an item of priority in the mandates of a broad range of international organizations. The United Nations should continue to play a leading role in implementing this recommendation by vigorously implementing the mandates entrusted to it for activities in this field.

(b) Multilateral and private financial institutions should address the funding requirement of conversion on a priority basis, employing both conventional and non-conventional financing mechanisms. Governments should be encouraged to set commercial incentives for conversion efforts.

(c) Training plays an important role in conversion. It helps develop new skills required for success in civilian markets, particularly to change attitudes of personnel whose professional experience is confined mainly to military research and manufacturing. Training is most helpful to the conversion process of countries which are in transition from centrally planned to market-oriented economies.

(d) Information is a crucial resource in the conversion process. It must be collected, processed and effectively disseminated to promote conversion by official and unofficial channels alike. Thus, it is recommended that the United Nations should prepare and disseminate an annual report of progress achieved on conversion all over the world.

C. 1993 substantive session of the United Nations Disarmament Commission

20. At its annual substantive session held in 1993, the Disarmament Commission while considering, inter alia, the role of science and technology in the context of international security, disarmament and the transfer of high technology with military applications, it has recommended that every effort should be made to apply scientific and technological resources, currently dedicated to military ends, to related activities in other fields, such as economic and social development, conversion, the protection of the environment and other peaceful purposes. In that connection, States should seek opportunities to convert military resources and production facilities to civilian use when decisions are taken to reduce military equipment and armaments, thereby strengthening international security. As conversion offers to many economies the prospect of significant long-term benefits, States should be encouraged to engage in international dialogue on the application of science and technology for conversion with a view to facilitating the formulation and successful implementation of national policies. During the course of deliberations, in this regard, it was proposed to recommend that the United Nations should

contribute to the promotion of applications of science and technology for conversion of military resources and production facilities to civilian uses.

Notes

1/ United Nations publication, Sales No. E.87.IV.8.